



ROSENBERG CALICA
BIRNEY LIEBMAN & ROSS LLP

100 Garden City Plaza, Suite 408, Garden City, New York 11530 TELEPHONE 516-747-7400

Joshua M. Liebman

Partner

EMAIL ADDRESS: JLIEBMAN@ROSENBERGLLP.COM

DIRECT DIAL: (516) 747-7400 (Ext. 333)

Fax: (516) 747-7480

January 10, 2025

The Honorable Joan M. Azrack
United States District Court
Eastern District of New York
100 Federal Plaza
Courtroom 920
Central Islip, New York 11722

The Honorable Arlene R. Lindsay
United States District Court
Eastern District of New York
814 Federal Plaza
Courtroom 810
Central Islip, New York 11722

Re: *Town of Hempstead, et al. v. Triborough Bridge and Tunnel Authority, et al.*
No. 2:24-cv-03263 (ARL) (E.D.N.Y.)

Dear Judges Azrack and Lindsay:

We represent the plaintiffs, Town of Hempstead, and Donald X. Clavin Jr. (collectively, referred to herein as the “Town”) in the above-referenced action. We write in brief response to the letter to the Court dated January 8, 2025 from defendants, Metropolitan Transportation Authority (“MTA”) and the Triborough Bridge and Tunnel Authority (“TBTA,” collectively, the “MTA Defendants”).

The Town objects to the MTA Defendants’ characterization of two separate Southern District litigations as “similar” to this case and the MTA Defendants’ use of these separate litigations as a pretext to continue to re-litigate their transfer motion that has already been decided against them. It is respectfully submitted that the MTA Defendants’ deliberate choice to litigate via correspondence, improperly addressing the merits of this case, should not be tolerated by this Court. We do not wish to burden the Court and rehash the past, other than to simply say that the Town has previously pointed out the material and distinct differences between the Town’s federal constitutional and state claims and those in the Rockland and Orange cases.¹ We thank the Court for its courtesies and cooperation.

Respectfully submitted,

**ROSENBERG CALICA BIRNEY
LIEBMAN & ROSS LLP**

By: 

Joshua M. Liebman

Judah Serfaty

Peter J. Clines

cc: Kaplan Hecker & Fink LLP (via CM/ECF)

¹ See, ECF No. 14, p. 19 - Town’s Memorandum of Law in Opposition to MTA Defendants’ Motion to Transfer Venue dated, May 24, 2024. See also, Town’s letter to the Court dated May 28, 2024 (ECF No. 17).